

EPA APPLICATION REVIEW PROCEDURES

A. General

In determining the amount of assistance to award to each applicant, the Regional Office will consider the applicant's annual allotment, the extent to which the applicant's work plan is consistent with this guidance document, and the reasonableness of the anticipated cost of the applicant's program relative to the proposed outputs or outcomes.

The Regional Administrator will review each cooperative agreement application received and should either approve, conditionally approve, or disapprove the application within 60 days of receipt (40 C.F.R. Section 35.110 - 113).

B. Application Review Panel

The Regional Office should ensure that a copy of the application be provided to the following for review and evaluation:

- Regional Program Office
- Regional Grants Administration Office
- Other Regional Office as appropriate to the Regional procedures

The Region has responsibility for reviewing all applications to ensure adequacy vis-a-vis the grant guidance and applicable cooperative agreement regulations. If a Regional Program Office wishes to consult with Headquarters regarding an application, input can be sought as follows:

- For questions concerning Worker Protection or Certification Programs:
Kevin Keaney, Chief
Certification Worker Protection Branch
Field and External Affairs Division (7506C)
Office of Pesticide Programs
Office of Prevention, Pesticides, and Toxic Substances
phone - 703/305-7666
- For questions concerning Ground Water or Endangered Species:
Arty Williams, Chief
Environmental Field Branch
Field and External Affairs Division (7506C)
Office of Pesticide Programs
Office of Prevention, Pesticides, and Toxic Substances
phone - 703/305-5239

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- For questions concerning other program activities:
Kennan Garvey, Chief
Government and International Services Branch
Field and External Affairs Division (7506C)
Office of Pesticide Programs
Office of Prevention, Pesticides, and Toxic Substances
phone: 703/305-7106
- For questions concerning Enforcement activities:
John Neylan, Chief
Agriculture Branch
Agriculture and Ecosystem Division
Office of Compliance
Office of Enforcement and Compliance Assurance
phone: 202/564-5033

C. Technical and Programmatic Review

A technical and programmatic review will be made by the application review panel to determine the merit of the proposed outputs and outcomes in view of the Pesticide Management Goal and the Headquarters and Regional Priorities in this guidance document. In reviewing applications the Regions may wish to use the Pesticide State/Tribal Cooperative Agreement Checklist (attached) as a means of consistently recording whether major, basic administrative requirements have been met. The review should evaluate the pesticide program cooperative agreement application to determine whether:

- The application contains work plans and commitments to ensure that the applicant has, or will by the end of the fiscal year, reach Headquarters and Regional Priorities for the four specific program areas and enforcement priorities.
- The applicant's objectives and expected results for "additional program and enforcement activities" are consistent and compatible with the Pesticide Management Goal.
- The resources (funds and work years) requested are reasonable when compared to the projected outputs and outcomes in the work plan for the specific program areas, for "additional program activities," "pesticide management program maintenance," and enforcement priorities.
- The application for "additional program and enforcement activities" contains environmental measures against which the project/activity can and will be evaluated.
- It is reasonable to expect successful completion of the work plan in view of the applicant's existing program and enforcement authority, resources, quality system and issues.

D. Time Factor Guidelines

As a result of a survey, EPA, in consultation with SFIREG, has developed the output time factors for use as a guide in evaluating pesticides enforcement cooperative agreement applications with regard to inspection and sample analysis activities. These time factors are to be used for comparing the number of inspectional and/or analytical work hours to be funded with the number of inspections to be conducted and the number of samples to be collected and/or analyzed.

<u>Activity</u>	<u>Work hours to Complete Activity</u>
Agriculture Use Inspection	20
Agricultural Follow up Inspection	20
Nonagricultural Use Inspection	15
Nonagricultural Follow up Inspection	20
Experimental Use Inspection	15
Producer Establishment Inspection	15
Marketplace Inspection	05
Import Inspection	10
Export Inspection	10-15
Applicator License and Records Inspection	05
Dealer Records Inspection	05
Sample Collection and Preparation	05
Sample Analysis	
Residue	25
Formulation	11

The time factor values should take into account all inspectional or analytical time spent to complete an activity, including travel time, document preparation, sample shipment, etc. The work hours should also include the prorated time for administrative activities of inspectors and chemists. Additional time spent by staff other than inspectors or chemists for administrative, case preparation, legal, clerical, and program planning activities time may be charged if the activities are prerequisites to conducting the activity. Only the inspectional and analytical work hours should be used to calculate productivity levels.

Regions will use the time factors as a guide for negotiating and evaluating pesticide enforcement applications. With regard to inspection and sampling activities, the projected number of inspections, samples, and analyses multiplied by the established time factors should approximately equal the number of work hours which each State/Tribe requested to complete the projected outputs under the cooperative agreement. The agency considers productivity levels between 85% and 115% of the established standard to be in the acceptable range. It is

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understood that deviations from these time factors may occur because of differences in travel time, local procedures, etc. To ensure equal treatment of all States/Tribes, a normal work year consists of 1800 hours after allowing for leave and holidays.

E. Administrative Review

The Regional Grants Administration Office will perform an administrative review and evaluation to determine whether the application meets the requirements of the EPA Uniform Administrative Requirements for Grants and Cooperative Agreements to States and Local Governments found at 40 C.F.R. Part 31 and regulations for State and Local Assistance found at 40 C.F.R. Part 35. The sections of Part 35, State and Tribal Assistance Grants, where various pesticide grants are mentioned are as follows:

For States

Pesticide Enforcement: sections 35.230 - 35.235

Certification & Training: sections 35.240 - 35.245

Pesticide Program: sections 35.250 - 35.259

For Tribes

Pesticide Enforcement: sections 35.640 -35.645

Certification and Training: sections 35.646-35.649

Pesticide Program: sections 35.650-35.659

At each stage of the evaluation, the applicant may be required to provide further information or to amend the application to satisfy the concerns of the Agency.